



Zoning Code (Title 19)

Final Report

Exhibit 6

OVERVIEW/REPORT STRUCTURE

This report has been structured to present each Article of the Zoning Code and any recommended changes since the draft document was made available and hearings were held. Minor technical or typographical changes that do not change the substance of the Zoning Code or the conclusions of the Program Environmental Impact Report (PEIR) will be made by staff prior to the final printing of the adopted Code.

ARTICLE I – ZONING CODE ENACTMENT AND APPLICABILITY

No changes are recommended.

ARTICLE II – ZONING CODE ADMINISTRATION, INTERPRETATION AND ENFORCEMENT

Recommended Changes

1. **Amend 19.050.030 B to clearly define the Planning Commission's role in regard to design review matters.**
2. **Amend 19.050.080 F to clearly define all of the officers of the Planning Commission (i.e., Secretary, Sergeant of Arms, etc.).**

ARTICLE III – NONCONFORMING PROVISIONS

Recommended Changes

3. **Amend 19.080.040 B (Page III-2) to read as follows:**

*Except as otherwise provided for nonconforming single-family residential uses and except for nonconforming uses involving the on-sale or off-sale of alcoholic beverages, whenever a nonconforming use has been discontinued for a continuous period of ~~90~~ **180** days or more or whenever a nonconforming use is changed to another use, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be brought into conformity with the zone in which it is located. Discontinuation shall mean any termination of a use, regardless of intent to resume the use. Payment of a valid business tax certificate shall in and of itself not be considered to be a continuation of the use.*

After much testimony it has been decided not to change the time period a nonconforming use can lose its non conforming rights due to being vacant or discontinued. This period would remain at 180 day. All City staff are in concurrence. As a matter of information, the Greater Riverside Chambers of Commerce Zoning Task Force Committee (Task Force), who reviewed the proposed Zoning Code, did not support shortening the length of time, (Zoning

ARTICLE IV – GENERAL ZONING PROVISIONS

Recommended Changes

4. Amend the Zoning Map for Areas A through L.

Throughout the hearing process staff has recommended additional areas for Zoning land use designation changes since the original notices were mailed out. These areas were presented to the Commission at the last few hearings. A description of the site and the reason for the proposed change follows. (Comment Letters and Maps of Sites A through L can be found in Zoning Code Figure B – Areas A - L)

Area A-	<i>Comment Letters:</i>	Same as letters for Area J of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	3215, 3230 and 3245 Madison Street
	<i>Existing General Plan:</i>	CBO – Retail Business & Office & RMD – Medium Density Residential
	<i>Existing Zone:</i>	M-2 – General Manufacturing
	<i>Proposed General Plan:</i>	C – Commercial & MDR – Medium Density Residential
	<i>Proposed Zone:</i>	R-1-7000 – Single Family Residential

Concerns/Issues:

The Redevelopment Agency is requesting that the proposed general plan and zoning designations for the properties northerly of Evans Street on both sides of Madison Street be changed. The general plan designation request is covered under the General Plan 2025 Final Report Exhibit 2. The zoning request is to change the zoning on both corners from R-1-7000 – Single Family Residential to CR-NC – Commercial Retail with the Neighborhood Commercial Overlay Zone. The corners are currently developed with commercial uses. The proposed changes further the goals of the Casa Blanca Redevelopment Project Area by aiding in the revitalization of this important area. As a matter of information, these properties were discussed in the staff reports dated February 17, 2005 & April 21, 2005.

Staff Recommendation:

Place Area A in the CR-NC Zone.

Area B -	<i>Comment Letters:</i>	William Dieterle Letter
	<i>Address:</i>	3772 Arlington Avenue/3762 Harding Street
	<i>Existing General Plan:</i>	OLR – Low Rise Office
	<i>Existing Zone:</i>	RO – Restricted Office and R-1-65 – Single Family Residential

Proposed General Plan: MU-V – Mixed Use Village
Proposed Zone: O – Office & R-1-7000 – Single Family Residential

Concerns/Issues:

The subject property currently has two zones, the RO and R-1-65 Zones. The property owner is concerned that the proposal will rezone the parking lot for his office building to R-1-7000, a single family residential zone. At this time the parking lot for the office building is zoned R-1-65, a single family residential zone. In reviewing the aerial photograph, it is clear that the portion of the property proposed for the R-1-7000 Zone is developed with the parking lot for the office building on the same property. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place all of Area B in O – Office Zone.

Area C - *Comment Letters:* Same as letter for Area K of General Plan 2025 Final Staff Report Exhibit 2
Address: 3770 & 3780 Washington Street
Existing General Plan: RMD – Medium Density Residential
Existing Zone: RO – Restricted Office & P – Parking
Proposed General Plan: MDR – Medium Density Residential
Proposed Zone: O – Office & R-1-7000 – Single Family Residential

Concerns/Issues:

The property owner is concerned that the proposal will rezone the parking lot at 3770 Washington Street, designed and operated for the office building at Washington Street and Magnolia Avenue, to R-1-7000. In addition, staff notes that the proposal will also general plan designate the parking lots at both 3770 and 3780 Washington Street to MDR and this is addressed in the General Plan 2025 Final Staff Report Exhibit 2. The parking lots and office building zoning and general plan designations should be consistent. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area C in the O – Office Zone.

Area D-	<i>Comment Letters:</i>	Same as letters for Area S of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	See map
	<i>Existing General Plan:</i>	ILT – Light Industrial and IBP – Industrial Business Park
	<i>Existing Zone:</i>	M-1 – Light Manufacturing & M-2 – General Manufacturing
	<i>Proposed General Plan:</i>	B/OP – Business Office Park
	<i>Proposed Zone:</i>	BMP – Business Manufacturing Park

Concerns/Issues:

A number of the M-1 and M-2 zoned properties in the General Industrial District of the Hunter Business Park Specific Plan (HBSPS) were placed in the BMP Zone, when they should have been placed in the I Zone for consistency with the Specific Plan. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area D in the I Zone.

Area E -	<i>Comment Letters:</i>	Same as letters for Area L of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	11503 Pierce Street
	<i>Existing General Plan:</i>	PFI – Public Facilities and Institutions
	<i>Existing Zone:</i>	M-1 – Light Manufacturing Zone
	<i>Proposed General Plan:</i>	PF – Public Facilities Institutional
	<i>Proposed Zone:</i>	PF – Public Facilities Zone

Concerns/Issues:

The property owner has a facility on this site that manufactures extended shelf life dairy and non dairy products. The primary line is Nesquick flavored milk items and coffee-mate liquid coffee creamer. Over time they plan to expand their production with some major changes to the site. The proposed PF zone would make this facility nonconforming. After reviewing the new Zoning Code, the property owner is requesting the I Zone. Staff is recommending the BMP Zone, which is a more appropriate zone for the existing business, proposed expansion and surrounding land uses. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area E in the BMP Zone.

Area F -	<i>Comment Letters:</i>	Same as letters for Area M of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	The subject area is generally bounded by City limit line to the north, Fremont Street to the east, Jurupa Avenue to the south and Jasmine Street and Columbia Avenue to the west.
	<i>Existing General Plan:</i>	ILT – Light Industrial
	<i>Existing Zone:</i>	M-1 – Light Manufacturing Zone
	<i>Proposed General Plan:</i>	B/OP – Business Office Park
	<i>Proposed Zone:</i>	BMP – Business Manufacturing Park Zone

Concerns/Issues:

By changing the zone from M-1 to BMP the property owners are concerned that this will render many of the existing industrial uses nonconforming. Industrial uses in this area include: Subsurface Electric Inc., Standard Lime Products Company, M&M Collision, Sparkman's Garage, Creative Corrugated Designs, Inc., Don's Auto Care, etc. Based upon the lot size and patterns in this area it would be difficult for these properties to develop over time to the BMP standards. Therefore, staff believes the I Zone is more appropriate and the requirements for landscaping and screening will help to upgrade this area. In addition, a requirement has been added that all new outdoor major repair facilities will require a minor conditional use permit in the I Zone to insure compatibility with the surrounding area. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area F in I Zone.

Area G-	<i>Comment Letters:</i>	Same as letter for Area N of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	The subject area is generally bounded by Jurupa Avenue to the south and consists of the properties fronting on Winterhaven Avenue, Orangewood Drive and Rickenbacker Avenue
	<i>Existing General Plan:</i>	IBP – Industrial Business Park
	<i>Existing Zone:</i>	M-1 – Light Manufacturing Zone
	<i>Proposed General Plan:</i>	B/OP – Business Office Park
	<i>Proposed Zone:</i>	BMP – Business Manufacturing Park Zone

Concerns/Issues:

By changing the zone from M-1 to BMP, the property owners are concerned that this will render many of the existing industrial uses nonconforming. Based upon the lot size and patterns in this area it would be difficult for these

properties to develop over time to the BMP standards. Therefore, staff believes the I Zone is more appropriate and the requirements for landscaping and screening will help to upgrade this area. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area G in the I Zone.

Area H -	<i>Comment Letters:</i>	Swiss Dairy Co., David Willem Letter
	<i>Address:</i>	4151 & 4221 Buchanan Street
	<i>Existing General Plan:</i>	IBP – Industrial Business Park
	<i>Existing Zone:</i>	RA – Residential Agriculture
	<i>Proposed General Plan:</i>	B/OP – Business Office Park
	<i>Proposed Zone:</i>	RE – Residential Estate

Concerns/Issues:

The Swiss Dairy Company is a nonconforming use that was developed on two contiguous residentially zoned parcels. The most northerly parcel is zoned RC - Residential Conservation and the second parcel RA - Residential Agriculture. The property owner is requesting that the RA zoned property be placed in the BMP Zone to reflect the existing use of the property and for consistency with the General Plan. A request to change the RC zoned property was not considered, as it cannot be rezoned due to Measure C.

The proposed zone change from RA to RE was applied to the Swiss Dairy parcel and a corner parcel at the northeast corner of Buchanan Street and Madera Way, currently developed with the American Legion Post. The American Legion Post is a permitted use in the BMP with a Conditional Use Permit, which they already have. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area H in the BMP Zone.

Area I -	<i>Comment Letters:</i>	Hill, Farrer & Burrill, LLP, Kevin Brogan Letter
	<i>Address:</i>	See map
	<i>Existing General Plan:</i>	IBP – Industrial Business Park & PKP – Public Parks
	<i>Existing Zone:</i>	RA – Residential Agriculture
	<i>Proposed General Plan:</i>	B/OP – Business Office Park & P – Public Park
	<i>Proposed Zone:</i>	RE – Residential Estate

Concerns/Issues:

Although the Sycamore Canyon Business Park Specific Plan (SCBPSP) is a predominately business office park specific plan, over the years there have been properties which have continued to hold the RA – Residential Agriculture Zone. As these properties developed, the property owners have requested zone changes to the MP, now the proposed BMP, Zone for consistency with the Specific Plan. With the deletion of the RA Zone as part of the proposed Zoning Code these properties were rezoned to RE automatically. Mr. Brogan of HF&B, on behalf of Mr. Palmer, wrote a letter requesting that the zoning of Mr. Palmer's RA Zoned property be consistent with the SCBPSP.

When reviewing the request, it was noted that there are eleven properties in the SCBPSP proposed for the RE – Residential Estate Zone. Ten of these properties are privately owned and one of the properties is owned by the City and is part of Sycamore Canyon Park. As a matter of information, these properties were discussed in the staff report dated April 21, 2005.

Staff Recommendation:

Place Area I in the BMP Zone, except the City owned property should be placed in the PF Zone.

Area J –	<i>Comment Letters:</i>	Joyce Harvey, Francis Van Derpoel and Larry and Lynda Wolfe Letters
	<i>Address:</i>	See map
	<i>Existing General Plan:</i>	RMH – Medium High Density Residential
	<i>Existing Zone:</i>	R-2 – Two-family Residential Zone
	<i>Proposed General Plan:</i>	MHDR – Medium High Density Residential
	<i>Proposed Zone:</i>	R-1-7000 – Single Family Residential

Concerns/Issues:

When reviewing the R-2 Zoned properties, staff broke the R-2 areas into ten areas (Zoning Code Figure C – Overview of R-2 Zoned Properties, with Maps by Areas and Letters of Opposition by Areas). All of these areas appear to be more appropriate for the R-1-7000 Zone except Area 4. Area 4, is located on both sides of Mount Vernon Street between Madison Street and San Rafael Way and is General Plan designated for Medium High Density Residential. It is surrounded by multi-family residential uses therefore it may be more appropriate for this area to be zoned R-3-4000.

As noted in the General Plan 2025 Final Report Exhibit 2 it is recommended that a policy be added under the Magnolia Center Neighborhood for this area to encourage lot consolidation of one acre lot sizes or greater.

Staff Recommended Change:

Place Area J in the R-3-4000 Zone.

Area K –	<i>Comment Letters:</i>	Same as letters for Area Q of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	See map
	<i>Existing General Plan:</i>	IGN – General Industrial
	<i>Existing Zone:</i>	M-2 – General Manufacturing & P – Parking
	<i>Proposed General Plan:</i>	O – Office
	<i>Proposed Zone:</i>	BMP – Business Manufacturing Park

Concerns/Issues:

This area is CAC Site 28, the area bounded by the 91 Freeway on the west, the 60 Freeway on the north, the railroad tracks and Kansas Avenue on the east and Third Street on the South. Today, it is predominately developed with heavy industrial uses. As the Citizen Advisory Committee (CAC) reviewed this area they saw this area as a major visual gateway into the City from the City's two major freeways, especially with the new freeway overpass project. In the General Plan 2025 Final Report Exhibit 2 it was recommended that this area be broken into two area. Area Q1 of that staff report is proposed for the O – Office general plan designation and Area Q2 is proposed for the I – Industrial general plan designation.

In consolidating the industrial zones under the new Zoning Code staff recommended that the M-2 – General Manufacturing Zone within this area be rezoned to the new BMP – Business Manufacturing Park Zone to begin the process of moving this area toward the Office general plan designation. However, if the Planning Commission approves Area Q2 in the General Plan Final Report Exhibit 2 for the I – Industrial general plan designation then this area should also be rezoned to the I – Industrial Zone.

Staff Recommended Change:

Place Area K in the I Zone, consistent with area Q2 of the General Plan 2025 Final Report Exhibit 2.

Area L –	<i>Comment Letters:</i>	Same as letter for Area U of General Plan 2025 Final Staff Report Exhibit 2
	<i>Address:</i>	1145 Everton Place
	<i>Existing General Plan:</i>	RHD – High Density Residential
	<i>Existing Zone:</i>	C-2-SP – Restricted Commercial & Specific Plan Overlay Zone
	<i>Proposed General Plan:</i>	HDR – High Density Residential
	<i>Proposed Zone:</i>	CR-SP – Commercial Retail & Specific Plan Overlay Zone

Concerns/Issues:

In the General Plan 2025 Final Report Exhibit 2, it is recommended that this area be placed in PF – Public Facilities general plan land use designation since the property is owned by the University of California, Riverside. For consistency with this general plan designation it is also recommended that this property also be placed in the PF – Public Facilities Zone.

Staff Recommended Change:

Place Area L in the PF Zone.

5. Approve the Zoning Map.

The Zoning Map reflects all proposed changes (Zoning Code Figure D – Proposed Zoning Map).

ARTICLE V – BASE ZONES AND RELATED USE AND DEVELOPMENT PROVISIONS

Recommended Changes

6. Amend 19.100.060 C (Page V-8).

Amend the setback requirements for front porches, to an average depth of eight-feet by a width of ten-feet as opposed to a minimum dimension of six-feet by ten-feet. This was a recommendation of the Planning Commission at a Zoning Code Workshop.

7. Amend 19.100.060 – Additional Regulations for the RE, RC, RR and R-1 Zones.

Add a **Section D – Duplexes in the R-1-7000 Zone**. This Section would read as follows:

- 1. Duplexes are permitted in the R-1-7000 zone subject to the following standards:**
 - a. The units shall have been legally established in the R-2 Zone prior to the adoption of this Zoning Code.**
 - b. Expansion of units is permitted subject to compliance with the development standards of the R-1-7000 Zone.**
 - c. If one or both units are destroyed, they may be rebuilt.**
 - d. Occupancy is limited to one family per dwelling unit (i.e., two-families in one duplex).**
 - e. Construction of new duplexes, where a duplex did not previously legally exist, is not permitted.**

f. Second Dwelling Units (19.480) are not permitted on lots with existing duplexes.

8. Amend Table 19.100.070 – Open Space Standards: Multi-Family Residential Zones (Page V-10).

Amend to increase the common open space requirements in the R-3 and R-4 Zones to 500-square-feet per unit. This increase reflects recent experience with apartment development, and is necessary to insure provisions of adequate common open space.

9. Amend Section 19.100.080 (Page V-12).

Add a paragraph requiring a cursory review of building elevations through the Plan Check process for infill development in all residential zones to insure compatibility with the neighborhood.

10. Amend Section 19.120.020 – Definitions (Page V-20) under Mixed Use Zones.

Move the definitions to Article X as suggested at a workshop by the Commission.

11. Amend the Permitted Uses Table 19.150.020 (A) to reflect the following changes:

- Ambulance Company with Vehicle Storage – permit in CG Zone with Conditional Use Permit
- Agriculture, Horticulture and Growing of Nursery Plants – delete from the AI Zone
- Aircraft Parts, Supplies, Merchandise and Equipment Sales – delete from the AI Zone
- Bakery – Wholesale – permit in AI Zone
- Banks and Financial Institutions/Services – permit in the BMP Zone and delete from the AIR Zone
- Bed and Breakfast Inn
 - A. In Historic Residence – permit in RR Zone with a Minor Conditional Use Permit
- Boardinghouse/Rental of Rooms
 - 1 to 4 persons – permit in the RE, RA-5, RC, R-1 and RR Zones
 - more than 4 persons – permit in the R-3 Zone with Conditional Use Permit
- Catering Establishments – permit in the AIR Zone
- Contractor's Storage Yard – delete in the AI Zone

- Duplexes (legal, existing prior to Zoning Code adoption) – permit in the R-1-7000 Zone
- Furniture Upholstery – delete from the AI Zone
- Hotel – delete from BMP and AIR Zones
Hotel/Motel - Long-term stay – delete from BMP and AIR Zones
Motel – delete from BMP and AIR Zones
- Laundry, Commercial – permit in the AI Zone
- Offices (Administrative, Business, executive and Professional, But not Medical or Dental)
A. In Historic Residence – permit in the RR Zone with a Minor Conditional Use Permit
- Manufactured Dwelling – add note (Only permitted where single family residences are permitted)
- Manufacturing – Add the note (Indoors)
- Medical marijuana dispensary – add as a prohibited use in all zones
- Planned Residential Development – delete from the RA-5, R-3 and R-4 Zones
- Private colleges and universities – permit in the PF Zone
- Rail Transit Stations – permit in all zones, except RC and RA-5, with a Conditional Use Permit
- Recreational Facilities
F. Health and Fitness more than 4,000 sq. ft. – delete from BMP, I, AI and AIR Zones
- Recycling Facilities A thru D – delete from BMP, I and AIR Zones
- Rental of Rooms – change to read “See Boardinghouse”
- Restaurants – permit in the AI Zone
- Retail Sales
A. In a Historic Residence – permit in the RR Zone with a Minor Conditional Use Permit
- Shelters (2 to 6 occupants) – delete from the I Zone
- Single-family Dwelling – Attached – delete from the RC and RA-5 Zones

- Showrooms in Industrial Zones – permit in the BMP, I AI and AIR Zones
- Truck Terminal – permit in the I, AI and AIR Zones
- Vehicle Repair Facilities – Major (Indoor) – permit in the BMP Zone with a Conditional Use Permit and in the I Zone as a matter of right
- Vehicle Repair Facilities – Major (Outdoor) – permit in the I Zone with a Minor Conditional Use Permit
- Vehicle Repair Facilities – Minor (Indoor) – permit in the BMP Zone with a Conditional Use Permit and in the I Zone as a matter of right
- Vehicle Repair Facilities – Minor (Outdoor) – permit in the I Zone with a Minor Conditional Use Permit
- Warehousing and Wholesale Distribution Centers
 - 400,000 s.f. or less – permit in the BMP, I, AI and AIR Zones
 - more than 400,000 s.f – permit with a Minor Conditional Use Permit in the BMP, I, AI and AIR Zones

12. Amend the Incidental Uses Table 19.150.020 (B) to reflect the following changes:

- Animal Keeping
 - A. Domestic Animals up to 4 – permitted in all zones
 - B. Domestic Animals over 4 – permitted in all zones
- Outdoor Display and Sales – permitted for large equipment sales etc. in the CG Zone and prohibited in all other Zones
- Outdoor Storage – permitted in the BMP, I, AI & AIR Zones and prohibited in all other Zones
- Outdoor Sales, display and Storage – delete (replace with the two lines above)
- Rental of Rooms – delete

Items of Note – No Recommendation

13. The question of the deletion of the HR – Horse Ranch Zone was raised during the hearing process (Zoning Code Figure E). The concern was that the City may be taking away a property owner's rights to own horses. There are only two areas in the City where the HR Zone currently exists. One of the areas, the area just westerly of Alessandro Boulevard (with street names like Coronet Drive, and Fetlock Way) has CC&R's, placed on the properties at the time the subdivision map was recorded, which prohibits the keeping of horses and other large animals. The other area is located just southerly of Bradley Street on both sides of a

street named Ruth Way. There are 24 properties on this street in the HR Zone. There is nothing prohibiting these properties owners from having horses on these properties. However, a review of the aerial photography taken in March of 2003 indicates that currently none of the property owners appear to have horses at this time. Notices were sent to these individuals of the proposed zone change.

14. In the Greater Riverside Chambers of Commerce Economic Development Committee Taskforce General Plan Recommendations Letter (Zoning Code Figure F) The Chamber recommends greater height limits and densities for the MU-U – Mixed Use Urban Zone. The existing requirements can be found under 19.120.060 Development Standards (Page V-22).
15. To aid in comparison of the permitted uses of the existing Code and the proposed Code staff has prepared comparison use tables Zoning Code Figure G – Comparison Use Tables.

ARTICLE VI – OVERLAY ZONES

Recommended Changes

16. Amend Article VI.

Add a new Chapter, Chapter 19.217 entitled “Residential Livestock Overlay Zone.” This Overlay Zone only affects 190 properties in the City at this time (Zoning Code Figure H – Map of Existing RL Zoned Properties and Letters in Opposition to the Deletion of the RL Overlay Zone). Therefore, the impact of this zone is very limited and it is recommended that the Zone not be deleted at this time. The new Chapter will read as follows:

19.217.010 Purpose

The Residential Livestock Overlay Zone (RL) is established to permit greater flexibility in certain requirements pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats and sheep, pigs and swine under Future Farmers of America-supervised and 4-H-supervised projects, in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RL Zone to provide opportunities for those whose lifestyle includes the keeping of such animals to locate in such neighborhoods in order to separate such activities from areas occupied by those who do not share such a lifestyle.

19.217.020 Application

The Residential Livestock Overlay Zone may be combined with any single-family residential zone for both existing and new residences, but only for areas which are generally developed.

19.217.030 Development and Use Standards

Permitted uses in the Residential Livestock Overlay Zone shall be any use permitted in the single-family residential zone with which said zone is combined; provided, however, that the following regulations shall prevail notwithstanding any contrary requirements in the underlying single-family residential zone:

- A. Not more than a total of two horses, ponies, mules, cows, goats and sheep, and swine and pigs subject to the provisions of subsection B of this section, or a total of two of any combination thereof shall be kept on any lot; provided that said lot has a minimum area of twenty thousand square feet; and further provided that one additional such animal may be kept for each additional ten thousand square feet over the minimum area requirement;**
- B. Swine or pigs shall be permitted in the Residential Livestock Overlay Zone only upon the condition that said animals are kept and maintained as a duly authorized Future Farmers of America or 4-H project;**
- C. Offspring of permitted animals shall not be counted in determining the permitted number of animals if such offspring do not exceed the following age limitations:**
 - 1. Cattle, twenty-four months;**
 - 2. Horses, eighteen months;**
 - 3. Ponies, eighteen months;**
 - 4. Mules, eighteen months;**
 - 5. Sheep, twelve months;**
 - 6. Goats, twelve months;**
 - 7. Pigs, sixty days;**
 - 8. Swine, sixty days;**
- D. All animals permitted pursuant to this section shall be housed, penned or pastured at least sixty feet from any residence, excluding the residence on the lot where the animals are kept;**
- E. The premises where such animals are kept shall be maintained in a clean, neat and sanitary condition at all times in order to insure the public health, safety, comfort, convenience and general welfare. Unless all animal manure on the premises is removed from the premises daily, said manure accumulated each day shall be placed in boxes or receptacles of a design and construction**

acceptable to the Riverside County Health Officer, and the boxes or containers maintained to prevent access to the contents thereof by flies and to prevent offensive odors. All watering troughs shall be maintained so as to prevent the breeding of mosquitoes. Said premises shall be maintained in accordance with all applicable ordinances, laws, rules and regulations pertaining to the care of animal habitation, manure removal, fly-producing conditions, and mosquitoes.

Items of Note – No Recommendation

17. It was noted by the Commission that the Use Regulations for the Neighborhood Commercial Overlay Zone Table 19.215.030 (Page VI-12 - VI-14) should match the Permitted Use Table 19.150.020 (A) in Article V.
18. During the hearing process there was considerable discussion that the permitted uses of the Water Course Overlay Zone were different than those of the existing Water Course Zone (Zoning Code Figure I – Map of Existing WC Zoned Properties and Letters of Concern). Below is the list of the proposed permitted uses of the Water Course Overlay Zone.

**Table 19.230.020
Permitted Land Uses in the Water Course Overlay Zone**

Use		Notes, Exceptions and Special Provisions
Accessory Structures	C	As permitted by underlying zone and not significantly affecting the carrying capacity of the particular flood way, subject to approval of the City Engineer.
Agriculture	P	Restricted to field crops and vine crops. Tree crops are prohibited.
Animal Keeping	P	Restricted to grazing animals and subject to Section 19.270.030(G)
Flood control facilities	P	Approved by the Riverside County Flood Control and Water Conservation District
Mining and excavation	C	
Public utility lines for transmission	P	
Recreation (public or private)	C	Restricted to field sports, lakes and ponds. No structures permitted.

The existing permitted uses in the Water Course Zone are as follows:

The following uses shall be permitted in a water course zone:

- A. The following uses, provided no buildings or structures shall be allowed, no materials or equipment shall be stored, no earth fill or deposit of materials shall be made, and no rock, sand, gravel or other materials shall be excavated or removed:
 1. Raising of field crops, row crops, berry and bush crops, truck gardening, flower gardening and growing of nursery plants;
 2. Keeping of horses, sheep, goats or cattle, provided that no animals shall be kept on a site less than one acre and not more than one animal shall be kept

for each half acre of site area. No animal shall be kept within one hundred feet of a dwelling;

3. Public utilities wire and pipelines for transmission or local distribution.

B. The following uses, provided no building or structures shall be allowed, no materials or equipment shall be stored, no earth or other materials shall be excavated or removed except as herein provided, which will endanger life or which may be carried away by flood waters or significantly restrict the carrying capacity of a stream channel or impair the ability of the designated floodway to carry and discharge the waters resulting from the design flood:

1. Flood control channels, spreading grounds and retaining basins, and related appurtenances which have been approved by the Riverside County flood control and water conservation district,
2. Private recreation areas, parks, playgrounds, fishing lakes, baseball and football fields, golf courses, golf driving ranges, parking lots, wildlife preserves and wilderness areas, all subject to the granting of a conditional use permit for which project plans showing all facilities, buildings, parking areas, walls, fences, open areas and landscaping are made a part of the permit;
3. Excavation and removal of rock, sand, gravel and other materials subject to the granting of a conditional use permit;
4. Accessory structures, subject to the granting of a conditional use permit;
5. Signs, as provided in Chapter 19.76.

The Commission asked to see both the existing permitted uses and the proposed permitted uses. With the exception of signs which are now covered under the Sign Chapter of the Code and the excavation and removal of rock, sand, gravel and other materials the permitted uses of the old Water Course Zone and the new Water Course Overlay Zone have remained the same.

ARTICLE VII – SPECIFIC LAND USE PROVISIONS

Recommended Changes

19. Amend 19.240 – Adult-Oriented Businesses (Page VII-7).

Add a 500-foot distance requirement from freeways for adult oriented businesses as recommended by the Planning Commission.

20. **Amend 19.275.030 – Development Standards under Contractor Storage Yard (Page VII-24).**

This section should read as follows:

Such yards shall be enclosed with solid masonry walls or buildings not less than 6 feet in height, above which no material shall be stored. **Vehicles used in the operation of the business may extend above the height of the wall.**

21. **Add a Chapter in this Article for Manufactured Dwellings.**

This new chapter should highlight the minimum Design Review requirements permitted by State Law.

22. **Amend 19.390 – Vehicle Repair Facilities (Page VII-63).**

Add language to accommodate Major and Minor (Outdoor) Repair facilities. Site Location, Operation and Development Standards will need to be added to this Chapter for these outdoor facilities.

23. **Amend 19.420.030 A (Page VII-77) under “Animal Keeping to read as follows: (Zoning Code Figure J – Letters Regarding Domestic Animal Keeping Standards)**

19.420.030 Site Location, Operation and Development Standards

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all domestic and non-domestic animal keeping unless otherwise specified here.

A. Domestic Animal Keeping

1. ~~The noncommercial keeping or causing to be kept of adult (over 60 days old for pot-bellied pigs, and over 4 months old for dogs and cats) domestic animals with a maximum of 4 dogs, 4 cats or 2 pot-bellied pigs (per [Title 8.19](#)) is permitted on any residential lot, not to exceed a maximum of 4 domestic animals. There is no limit on the numbers of other D domestic animals (e.g., rabbits, song birds, rodents) **are permitted all zones.**~~
2. ~~Additional domestic animals for noncommercial purposes may be permitted subject to the granting of a discretionary permit.~~
3. ~~Offspring of Animals~~

~~Offspring of permitted animals shall not be counted in determining the permitted number of animals if such offspring do not exceed the following age limitations:~~

- a. ~~Pot-bellied pigs, 60 days~~
- b. ~~Dogs and Cats, 4 months~~
- c. ~~Birds, 4 months~~

24. **Amend 19.445 - Home Occupations (Page VII-88).**

Amend to clearly note that a medical marijuana dispensary is not a permitted home occupation.

25. **Amend 19.470 – Outdoor Sales, Display and Storage (Page VII-92).**

Separate into two chapters. One chapter will be Outdoor Sales & Display and one chapter will be Outdoor Storage.

ARTICLE VIII – SITE PLANNING AND GENERAL DEVELOPMENT PROVISIONS

It is noted that the Chapter on Signs is following the Zoning Code on a separate track. The Sign Code Amendment will be revised to compliment the new Zoning Code in terms of appearance and references to uses.

Recommended Changes

26. **Amend Chapter 19.545 – Density Bonus (Page VIII-1).**

Amend to reflect the changes required by Senate Bill 1818 which took effect on January 1, 2005. These changes will be made by staff before the final printing of the Zoning Code upon its adoption. In addition, it is recommended that a requirement for all units to be treated with the same architectural designs regardless of their status as market or affordable be added to this Chapter as noted by the Commission at a workshop.

27. **Add Chapter 19.555 – Mechanical Equipment Screening.**

This Chapter is referenced by every Chapter in Articles V and VI. It was accidentally left out of the Code.

28. **Amend Table 19.580.060 – Required Spaces (Page VIII-24).**

Under Vehicle Fuel Station add a note that pump islands do not count toward the parking requirement.

29. **Amend 19.580.070 A (Page VIII-28) to read as follows: (Zoning Code Figure K – Letters Regarding RV Parking Standards)**

4. **Recreational Vehicle Parking in Residential Zones**

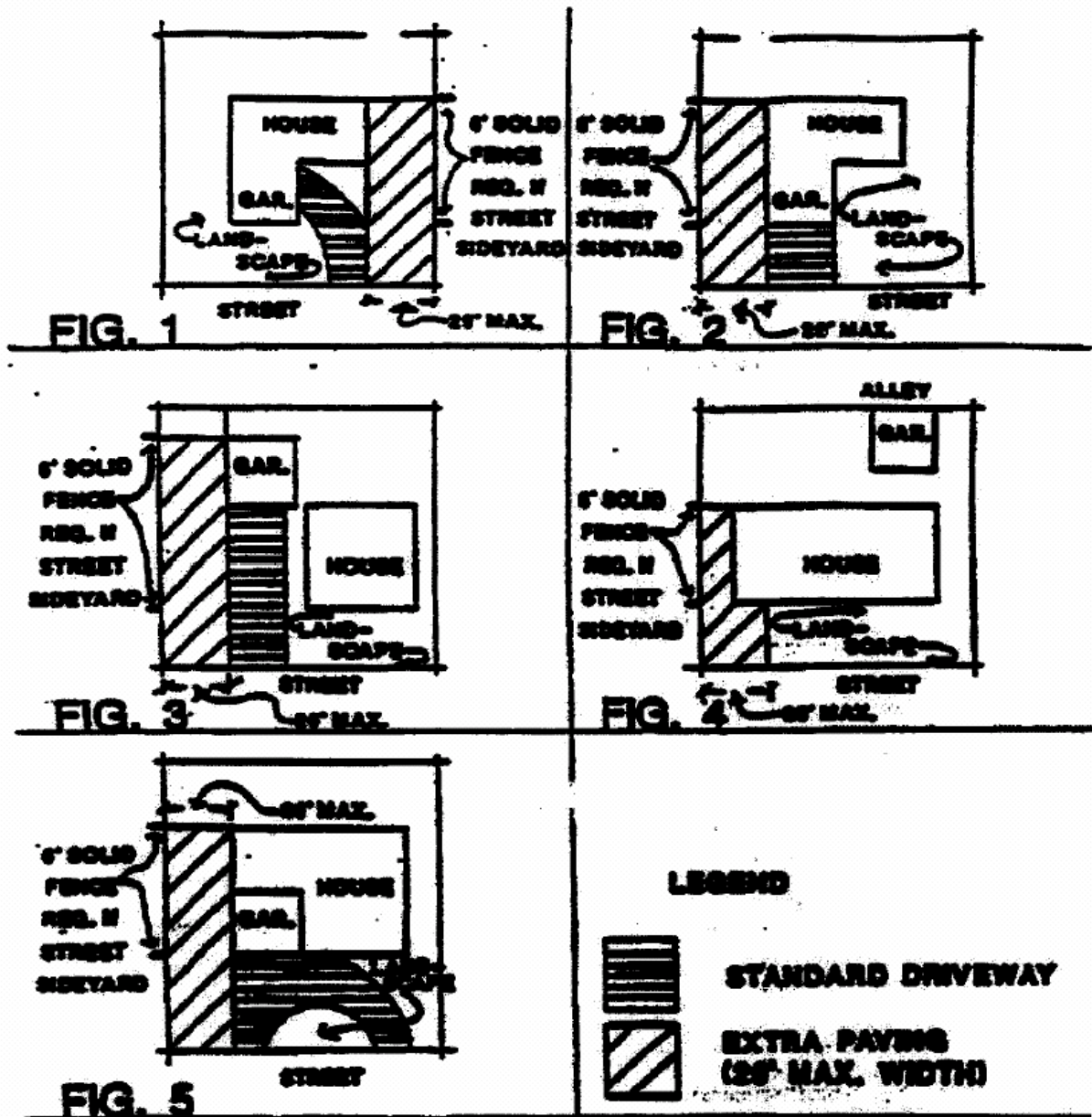
- a. ~~In all single-family residential zones, the parking of recreational vehicles, or a recreational vehicle trailer or hauler, shall be limited to:~~

- ~~(1) A garage or carport.~~
- ~~(2) A paved surface in the rear yard, outside of required setbacks, or an interior side yard area adjacent to the property's existing garage or carport, provided that:
 - ~~(a) A side yard area adjacent to a street shall not be used for recreational vehicle parking.~~
 - ~~(b) There shall be a minimum of 15 feet between the side property line and the nearest eave overhang.~~
 - ~~(c) The side yard area shall be accessible from the property's existing driveway. Only one driveway opening is permitted, except in the case of an existing circular driveway. However, a second driveway may be added if the property has 100 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning and Public Works Departments.~~
 - ~~(d) A recreational vehicle parked in a side yard shall not extend forward of the front wall of the residence.~~~~
- ~~(3) A recreational vehicle may not have any utility hookups or be used as living quarters.~~
- ~~(4) The property may be fenced subject to current the Zoning Code standards.~~

a. Permitted Locations of Parking and Maneuvering Areas. Parking and maneuvering areas in front yard areas of single-family residential zones for all recreational vehicles, with a gross vehicle weight rating of 10,000 pounds or less, shall be limited to the space within a carport or garage plus a paved driveway between such garage or carport and the street from which it is served, not exceeding the width of the garage. In addition, the following front and side yard areas may also be paved for the parking and maneuvering of vehicles.

- (1) House With Attached Garage:** The space between the driveway serving the garage and the nearest side property line, with such paving permitted to extend as far as the rear of the residential structure, such space not to exceed twenty feet in width beyond the driveway serving the garage. (See Figures 1 and 2.)

- (2) **House With Detached Garage, Served by Adjacent Street:** The space between the driveway and the nearest side property line, extending as far as the rear of the garage, such space not to exceed twenty feet in width beyond the driveway serving the garage. (See Figure 3.)
- (3) **House With Detached Garage Served From an Alley:** A space, not exceeding twenty feet in width, adjacent to a side property line. Such paved space



may extend no further than the space between the street and the rear of the house. Installation of such a driveway is subject to approval of a driveway curb cut by the Public Works Department. (See Figure 4.)

- (4) **Circular Drives:** A house with one street frontage and at least one hundred feet of width, or any house with two street frontages may be served by a circular drive. In addition, the space between the circular drive and the nearest interior side property line may be paved, provided this additional paving does not exceed twenty feet in width beyond the point from the nearest point of the circular driveway and the interior side property line, nor extend further than the distance between the street and the rear of the residence. No circular drive will be approved without the approval of the Public Works Director for two driveway openings. (See Figure 5.)
- (5) **Special Requirements for Driveway Extensions in Street Side Yard Areas:** Where the area proposed for driveway expansion is a street side yard, the portion of the driveway behind the front setback must be screened from the adjoining street by a six-foot-high solid fence or wall.
- b. **Nonconforming Rights.** A non-paved driveway legally established prior to the adoption of this code section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this code section, is not subject to the paving requirements of this section unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning and Building Departments.
- c. **Registration and Vehicle Condition.** All recreational vehicles, parked outside of a completely enclosed garage shall be currently and legally registered except as provided for by State law and shall be in an operable and movable condition within one hour. Motorized recreational vehicles, shall be movable under their own power.

Boats and other nonmotorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed.

d. Parking for recreational vehicles with a gross vehicle weight rating of 10,000 pounds or more.

(1) In residential zones, the parking of recreational vehicles with a gross vehicle weight rating of 10,000 pounds or more shall only be allowed in the RR-Rural Residential and RA-Residential Agricultural zones. Parking and maneuvering areas for such vehicles shall be limited to:

(a) A garage or carport.

(b) A paved surface in the rear yard, outside of required setbacks, or an interior side yard area adjacent to the property's existing garage or carport, provided that:

(i) A side yard area adjacent to a street shall not be used for recreational vehicle parking.

(ii) There shall be a minimum of 15 feet between the side property line and the nearest eave overhang.

(iii) The side yard area shall be accessible from the property's existing driveway. Only one driveway opening is permitted, except in the case of an existing circular driveway. However, a second driveway may be added if the property has 100 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning and Public Works Departments.

(iv) A recreational vehicle parked in a side yard shall not extend forward of the front wall of the residence.

(c) **A recreational vehicle may not have any utility hookups or be used as living quarters except as permitted by 19.430.**

(d) **The property may be fenced subject to current Zoning Code standards.**

e. **Variances. The Zoning Administrator shall have the authority to administratively grant variances to the parking standards per Chapter 19.650, consistent with the purpose of this section, where special circumstances relating to property configuration terrain, landscaping or structure locations make adherence to the standards impractical. Any such decision by the Zoning Administrator may be appealed to the Planning Commission or City Council per Chapter 19.680.**

30. **Amend 19.580.070 B – Multiple Family Dwellings (Page VIII-30).**

Add a requirement for all new apartment and student housing complexes to provide one of the following: a locked garage or a fenced, secured complex with coded gates for entry at the Police Department's request. This provision was requested by the Police Department and will help to reduce the number of vehicle vandalism and theft calls associated with these types of projects.

31. **Amend 19.630 – Yard Requirements and Exceptions (Page VIII-43).**

Add Section 19.630.040 – Rear Yard Paving Requirements to read as follows:

No more than 1,000 square feet of the rear yard shall be paved or 25% of the rear yard area which ever is less for parking purposes. A paved driveway must extend to the parking area from a public street or alley. Parking areas greater than 25% of the rear yard area or 1,000 square feet which ever is less may be consider under a Minor Conditional Use Permit.

Items of Note – No Recommendation

32. In the Greater Riverside Chambers of Commerce Economic Development Committee Taskforce General Plan Recommendations Letter (Zoning Code Figure F), the Chamber recommends that parking structures be classified as mixed use. The existing requirements can be found under 19.580.080 D – Parking Standards (Page VIII-32).

ARTICLE IX – LAND USE AND DEVELOPMENT PERMIT REQUIREMENTS/PROCEDURES

Recommended Changes

33. **Amend Section 19.660.040 (Page IX-10) entitled “Submittal Requirements.”**

Include information on Water Quality Management Plans (WQMP). A new State law was recently passed that requires all project applications for discretionary approval to include a project-specific Water Quality Management Plan (WQMP). This law took effect on January 1, 2005. To accommodate this requirement, staff is recommending that section 19.660.040 be amended to include item C as follows:

C. All applications requiring discretionary approval shall include a project-specific Water Quality Management Plan (WQMP) pursuant to the requirements of the Municipal Separate Storm Sewer System (MS4) Permit.

34. **Amend 19.770.040 A – Conditions of Approval (Page IX-47).**

Under Site Plan Review Permit add fencing plans to the list of requirements.

35. **Amend 19.780.050 D – Density Bonus for Superior Design (Page IX-50).**

Add a check list of amenities for small lot planned residential developments. These amenities would not be applicable to the RC Zone.

36. **Amend Table 19.780.040 – PRD Benchmark and Bonus Densities (Page IX-51).**

Delete the reference to the RA-5 Zone.

37. **Delete Section 19.780.060 B 3 b (Page IX-52) in the Planned Residential Development Permit Chapter.**

It is recommended that this requirement for at least 50 percent of the required common open usable space area be in one area with no dimension less than 100 feet be deleted as it is difficult to determine and does not promote greater open space area or design.

ARTICLE X – DEFINITIONS

38. **Add a definition for “aviary” as follows:**

Aviary **Any place where more than 15 domestic and/or non-domestic birds are kept outside.**

39. **Change the definition of “Boardinghouse” to read as follows:**

Boardinghouse/ rental of rooms	A residence or dwelling, other than a hotel/ motel/long-term stay , wherein one three or more rooms, with or without individual or group cooking facilities, are rented to one or more individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent or rental manager is in residence. The definition does not include assisted living facility where medical services are involved.
---------------------------------------	--

40. **Add a definition of “building projection.”**

Building projection	Part of a building or structure which is allowed to encroach into the required setback.
---------------------	---

41. **Change the definition of “Group housing or home” to read as follows:**

Group housing or home	Any living situation including motels and hotel buildings that are not for temporary use, that accommodates more than six unrelated individuals, and may include but not be limited to the following types of facilities: (1) licensed alcohol and drug treatment facilities; (2) licensed board and care homes for the elderly including convalescent or rest homes and nursing homes; (3) licensed homes for minor children; (4) licensed homes for mental patients; (5) licensed homes for the developmentally disabled; and (6) single- room occupancy (SRO) projects. Group housing would typically involve a living arrangement where either support services are provided to the occupants, where cooking, living or support sanitary facilities are shared in common between the occupants or where there is a formal program establishing rules of conduct and purpose of the facility. <i>See definition in the General Plan.</i>
-----------------------	--

42. **Add a definition for “medical marijuana dispensary.”**

Medical marijuana dispensary	A facility where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5 (Proposition 215).
------------------------------	---

43. **Add a definition for “personal services.”**

Personal services	Establishments providing nonmedically related services, including beauty and barber shops; dry cleaning pick-up stores; self-service laundry, massage, shoe repair shops, tailoring, tanning
-------------------	---

salons. These uses may also include accessory retail sales of products related to the services provided.

44. **Add a definition for “smart growth.”**

Smart growth	Can be defined as, but not limited to, seeking to identify a common ground where developers, environmentalists, public officials, citizens and financiers can find ways to accommodate growth. It promotes compact, mixed-used development that offers a high-quality living and working environment and encourages a choice of travel mode – walking, cycling and transit, while protecting environmental features and resources.
--------------	--

45. **Add a definition for “traffic pattern modification.”**

Traffic pattern modification	A modification which occurs when an existing roadway traffic flow and/or speed is changed by such means as one-way streets, raised medians, speed humps or terminated through means of a cul-de-sac.
------------------------------	--

46. **Change the definition of “Recreational Vehicles.”**

The Chamber Zoning Task Force noted that the CS Overlay Zone does not permit the outdoor storage of vehicles other than recreational vehicles. As such, they recommended that the definition of a recreational vehicle be expanded to include boats, water craft, race cars and trailers used in their transportation.

Recreational Vehicle	A vehicle for non-commercial, recreational use, including a motor home, travel trailer, camper, fifth wheel, boats, water craft, race cars, off road vehicles , horse trailer or trailers designed to carry recreational vehicles such as water craft or off-road vehicles.
----------------------	--

47. **Change the definition of “Vehicle repair facility, major.”**

Vehicle repair facility, major	Any facility offering any of the vehicle repair and improvement services as defined in Vehicle Repair Facility (Minor) and also including engine and transmission overhauls, vehicle restorations, upholstery, convertible top repairs and installations, paint and body work, heavy duty truck and tractor repair and other similar services as determined by the Zoning Administrator.
--------------------------------	---

Items of Note – No Recommendation

48. At a workshop it was recommended that there be a global cross reference as needed to the Design Guidelines.

EXHIBITS

1. Zoning Code Figure A – Greater Riverside Chambers of Commerce Zoning Code Task Force Recommendations
2. Zoning Code Figure B – Sites A - L
3. Zoning Code Figure C – Overview of R-2 Zoned Properties, with Maps by Areas and Letters of Opposition by Areas
4. Zoning Code Figure D – Proposed Zoning Map
5. Zoning Code Figure E – Existing HR Zoned Properties
6. Zoning Code Figure F – Greater Riverside Chambers of Commerce Economic Development Committee Taskforce General Plan Recommendations Letter
7. Zoning Code Figure G – Comparison Use Tables
8. Zoning Code Figure H – Map of Existing RL Zoned Properties and Letters in Opposition to the Deletion of the RL Overlay Zone
9. Zoning Code Figure I – Map of Existing WC Zoned Properties and Letters of Concern
9. Zoning Code Figure J – Letters Regarding Domestic Animal Keeping Standards
10. Zoning Code Figure K – Letters Regarding RV Parking Standards
11. Zoning Code Figure L – Letters Concerning Zoning Matters

G:\GENPLAN\CPC Staff Report\Final Report\Zoning_Staff_Report.wpd